

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Wolfgang Moderegger et al.

Application No.: 09/944,379

Filing Date: September 4, 2001

Title: METHOD AND SYSTEM FOR
MANAGING INVITATIONS TO BID



) Group Art Unit: 3627

) Examiner: Oger Garcia Ade

) Confirmation No.: 1270

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- A Petition for Extension of Time is enclosed.
- _____ Terminal Disclaimer(s) and the \$ 65 \$ 130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed.
- Also enclosed is/are: _____
- Small entity status is hereby claimed.
- Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$ 395 \$ 790 fee due under 37 C.F.R. § 1.17(e).
- Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- Applicant(s) previously submitted _____ on _____ for which continued examination is requested.
- Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	0	20	0	x \$ 50 (1202)	\$ 0
Independent Claims	0	3	0	x \$ 200 (1201)	\$ 0
<input type="checkbox"/> If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$ 0
Total Claim Amendment Fee					\$ 0
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					0
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0

Charge _____ to Deposit Account No. 02-4800 for the fee due.

A check in the amount of _____ is enclosed for the fee due.

Charge _____ to credit card for the fee due. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By:

Charles F. Wieland III
Registration No. 33096

Date August 17, 2006

P.O. Box 1404
Alexandria, VA 22313-1404
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully traverse the Restriction Requirement dated July 28, 2006. The Office divides the claims into two groups: Group I, including claims 1-43; and Group II, including claims 49-56, and 59. However, both Groups of claims have been extensively examined on the merits and no changes to the claims represent a shift in invention that would justify a late restriction requirement. Specifically, prosecution of claims 1-43, 49-56 and 59 has spanned nearly two years, three Office actions, and three replies. Further, a restriction of the original set of claims, resulting in the current reduced set of claims, has already been imposed. Under these circumstances, the Office cannot justify new restriction, particularly under the standards set forth in MPEP § 803, 811, 811.02 and 811.03 insofar as there can be no "serious burden" on the Office if the restriction is not imposed, and a late restriction has not "become proper".

For completeness, Applicants elect Group I, which includes claims 1-43, with traversal, for examination at this time.

Favorable action on the merits is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 17, 2006

By:



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